

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Project (2003) 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/735,030	
	Filing Date	December 12, 2003	
	First Named Inventor	Vahid SAADAT et al.	
	Art Unit	3762	
	Examiner Name	Not Assigned	
Total Number of Pages in This Submission	11	Attorney Docket Number	USGI-005-2A (31150-1180)

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Executed Declaration/Power of Attorney, Petition for one (1) month Extension of Time authorizing \$55.00 in charges to Deposit Account No. 50-2298, Check No. 152436 for \$65.00 and return-receipt postcard.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Nicola A. Pisano, Reg. No. 34,408 Luce, Forward, Hamilton & Scripps LLP
Signature	
Date	27 April 2004

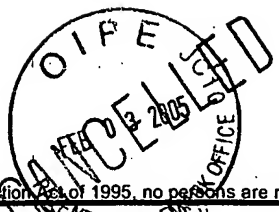
**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Amy M. Sheridan		
Signature		Date	04-27-2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 120

## Complete if Known

Application Number 10/735,030  
Filing Date December 12, 2003  
First Named Inventor Vahid SADAAT et al.  
Examiner Name Not Assigned  
Art Unit 3762  
Attorney Docket No. USGI-005-2A (31150-1180)

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-2298

Deposit Account Name Luce, Forward, Hamilton & Scripps

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims		-20** =	X	= 0
Independent Claims		-3** =	X	= 0
Multiple Dependent				= 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	65.00
1052	50*	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	55.00
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 120

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type) Nicola A. Pisano Registration No. 34,408 Telephone (858) 720-6300  
Signature [Signature] Date 27 April 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

31150-1180



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/735,030	12/12/2003	Vahid C. Saadat	USGI-005-2A

35023  
 LUCE, FORWARD, HAMILTON & SCRIPPS LLP  
 11988 EL CAMINO REAL, SUITE 200  
 SAN DIEGO, CA 92130

CONFIRMATION NO. 3503

## FORMALITIES LETTER



\*OC000000012166965\*

Date Mailed: 03/23/2004

# NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION RECEIVED

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

MAR 25 2004

Items Required To Avoid Abandonment:

LFH&amp;S/AMY WILSON

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 1a.

SUMMARY OF FEES DUE:

DOCKET

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

DATE

3-26-04

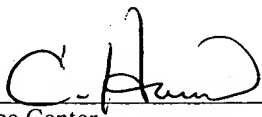
INITIALS

DUB: 5-23-04  
 OPL: 9-23-04

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

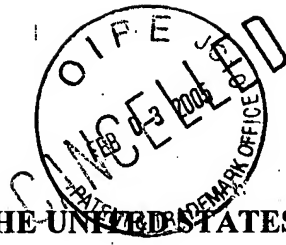
*A copy of this notice MUST be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART I - ATTORNEY/APPLICANT COPY



Atty. Docket No.: USGI-005 2A (31150-1180)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	Group Art Unit:	3762
Vahid SADAAT et al.	)		
Serial No.: 10/735,030	)	Examiner:	Not Assigned
Filed: December 12, 2003	)	Confirmation No.:	3505
For: APPARATUS AND METHOD	)		
FOR FORMING AND SECURING	)		
GASTROINTESTINAL TISSUE	)		
FOLDS	)		

San Diego, California  
April 27, 2004

Mail Stop: MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 C.F.R. §1.53(b)**

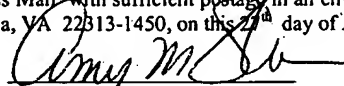
Dear Sir or Madam:

In response to the Notice to File Missing Parts of Non-provisional Application filed under 37 C.F.R. §1.53(b), mailed March 23, 2004, enclosed please find the following items:

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and anything being referred to as enclosed herein is being deposited with the United States Postal Service via First Class Mail, with sufficient postage in an envelope addressed to Mail Stop: MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27<sup>th</sup> day of April, 2004.

Signature:

  
Amy M. Sheridan

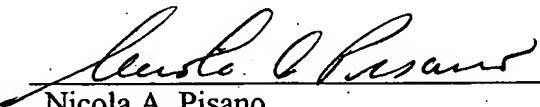
1. Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. §1.53(b);
2. Combined Declaration for Patent Application and Power of Attorney;
3. Check No. 152436 in the amount of \$65.00 for the late fee declaration surcharge;
4. Petition for one (1) Month Extension of Time Under 37 CFR 1.136(a) authorizing \$55.00 in charges to Deposit Account No. 50-2298; and
5. Return-receipt postcard.

The Commissioner is authorized to charge any additional fee required, or credit any overpayment, to our Deposit Account No. 50-2298, in the name of Luce, Forward, Hamilton & Scripps LLP.

Respectfully submitted,

Date

April 27, 2004

  
Nicola A. Pisano

Attorney for Applicant(s)

Reg. No. 34,408

c/o

LUCE, FORWARD, HAMILTON  
& SCRIPPS LLP

11988 El Camino Real, Ste. 200

San Diego, California 92130

Telephone No.: (858) 720-6320

Mail Stop MISSING PARTS  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Ser./Reg. No. 10/735,030  
Our File No. US51-005.2A (31150-1180)  
Title Apparatus and Methods  
Applicant(s) SADAAT et al.  
Mailing Date 27 April 2004

The papers indicated below were received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input type="checkbox"/> Patent application, including	<input type="checkbox"/> Amendment/Response
<input type="checkbox"/> pages of Specifications, Claims and	<input checked="" type="checkbox"/> Petition for Extension of Time (1 month)
<input type="checkbox"/> Abstract, and <input type="checkbox"/> sheets of Drawings	<input checked="" type="checkbox"/> Response to <u>Notice to File Missing Parts</u>
(Figs. <input type="checkbox"/> to <input type="checkbox"/> )	<input type="checkbox"/> Petition for
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> Preliminary Amendment
<input type="checkbox"/> Provisional Application Cover Sheet	<input type="checkbox"/> Amendment After Final Rejection
<input checked="" type="checkbox"/> Transmittal Letter	<input type="checkbox"/> Notice of Appeal
<input checked="" type="checkbox"/> Fee Transmittal	<input type="checkbox"/> Formal Drawings, <input type="checkbox"/> Sheets, Figs. <input type="checkbox"/> to <input type="checkbox"/>
<input type="checkbox"/> Transmittal	<input type="checkbox"/> PCT Request
<input checked="" type="checkbox"/> Check No. <u>152436</u> for \$ <u>65-</u>	<input type="checkbox"/> Chapter II Demand
<input checked="" type="checkbox"/> Combined Declaration and Power of Attorney	<input type="checkbox"/> PCT Fee Calculation Sheet
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> CERTIFICATE OF MAILING/
<input type="checkbox"/> Assignment w/Form PTO 1595	<input type="checkbox"/> EXPRESS MAIL NO.
<input type="checkbox"/> IDS w/Form 1449 ( <input type="checkbox"/> cited references)	
<input type="checkbox"/> Priority Document	<input checked="" type="checkbox"/> Other <u>copy of Notice</u>

Mail Stop MISSING PARTS  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Ser./Reg. No. 10/735,030  
Our File No. US51-005.2A (31150-1180)  
Title Apparatus and Methods  
Applicant(s) SADAAT et al.  
Mailing Date 27 April 2004

The papers indicated below were received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input type="checkbox"/> Patent application, including	<input type="checkbox"/> Amendment/Response
<input type="checkbox"/> pages of Specifications, Claims and	<input checked="" type="checkbox"/> Petition for Extension of Time (1 month)
<input type="checkbox"/> Abstract, and <input type="checkbox"/> sheets of Drawings	<input checked="" type="checkbox"/> Response to <u>Notice to File Missing Parts</u>
(Figs. <input type="checkbox"/> to <input type="checkbox"/> )	<input type="checkbox"/> Petition for
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> Preliminary Amendment
<input type="checkbox"/> Provisional Application Cover Sheet	<input type="checkbox"/> Amendment After Final Rejection
<input checked="" type="checkbox"/> Transmittal Letter	<input type="checkbox"/> Notice of Appeal
<input checked="" type="checkbox"/> Fee Transmittal	<input type="checkbox"/> Formal Drawings, <input type="checkbox"/> Sheets, Figs. <input type="checkbox"/> to <input type="checkbox"/>
<input type="checkbox"/> Transmittal	<input type="checkbox"/> PCT Request
<input checked="" type="checkbox"/> Check No. <u>152436</u> for \$ <u>65-</u>	<input type="checkbox"/> Chapter II Demand
<input checked="" type="checkbox"/> Combined Declaration and Power of Attorney	<input type="checkbox"/> PCT Fee Calculation Sheet
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> CERTIFICATE OF MAILING/
<input type="checkbox"/> Assignment w/Form PTO 1595	<input type="checkbox"/> EXPRESS MAIL NO.
<input type="checkbox"/> IDS w/Form 1449 ( <input type="checkbox"/> cited references)	
<input type="checkbox"/> Priority Document	<input checked="" type="checkbox"/> Other <u>copy of Notice</u>

LUCE, FORWARD, HAMILTON & SCRIPPS LLP Attorneys at Law

0003258

Commissioner of Patents

152436

DATE	INVOICE NUMBER	MEMO	G/L NO.	AMOUNT
04/19/2004	FILING FEE PISANO 31150- 1180		01 -01 -01312-00000	65.00
TOTAL				65.00

04/20/2004 000152436

TOTAL 65.00

LUCE, FORWARD, HAMILTON & SCRIPPS LLP

ATTORNEYS AT LAW • FOUNDED 1873

600 West Broadway Suite 2600

San Diego, CA 92101



CALIFORNIA BANK TRUST

525 B Street  
San Diego, CA 92101

90-3210/1222

152436

PAY:

Sixty Five and 00/100 Dollars

NUMBER

DATE

AMOUNT

000152436

04/20/2004

\*\*\*\*\*65.00

TO THE  
ORDER  
OF

Commissioner of Patents  
and Trademarks

VOID AFTER 180 DAYS

AUTHORIZED SIGNATURE

Laurence Buehler

152436 122232109: 2070135281